

Senal No. 10/814,776

REMARKS

The undersigned attorney thanks Examiner Blau for his careful review of this parent application. Prior to entry of this amendment, claims 1 - 14 were pending in the application.

Election of Species

In paragraph 1, the Office Action alleged that the application contains claims directed to the several patentably distinct species of the claimed invention. In particular, the Office Action alleged that there are five (5) distinct species and requested that the Applicants elect a single species for prosecution on the merits to which the claims shall be restricted if no genenc claim is ultimately held to be allowable.

It is respectfully submitted that the Applicants elect Species 3 (FIG. 9) for prosecution on the merits. The linear density profiles that correspond to the layer type pattern of species 3 are represented by both the 3rd example and the 4th example of FIG. 2. Pending claims 1 - 4, 6 - 9, and 10 - 13 are readable upon the elected species. It should also be noted that the elected species corresponds to the Example 2 illustrated in FIG. 12.

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CONCLUSION

The foregoing response constitutes a full and complete response the outstanding Office Action. If the Examiner believes that there are any issues that can be resolved by a telephone conference, or that there are any informalities that can be corrected by an Examiner's amendment, please contact John Briski at 404.885.3141.

Respectfully submitted,

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